

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RONALD JACKSON, Individually and On
Behalf of All Others Similarly Situated,

Lead Plaintiff,

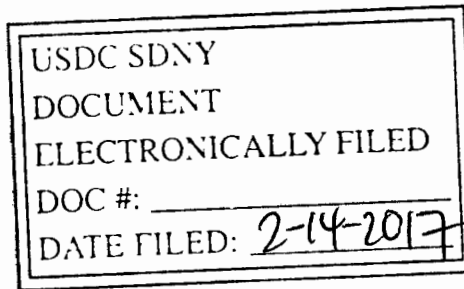
v.

HALYARD HEALTH, INC., ROBERT E.
ABERNATHY, STEVEN E. VOSKUIL,
KIMBERLY-CLARK CORPORATION,
THOMAS J. FALK, and MARK A.
BUTHMAN,

Defendants.

Case No. 16-CV-5093-LTS-RLE

**STIPULATION OF DISMISSAL OF
CLAIMS PURSUANT TO SECTIONS
11 AND 15 WITH PREJUDICE**



The Parties hereby stipulate to the dismissal solely of claims asserted pursuant to Sections 11 and 15 of the Securities Act of 1933 in the above-captioned action (the "Action") with prejudice by the undersigned Plaintiff as to Halyard Health, Inc., Robert E. Abernathy, Steven E. Voskuil, Kimberly-Clark Corporation, Thomas J. Falk, and Mark A. Buthman (collectively, "Defendants") pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), and as grounds therefor state as follows:

WHEREAS, on September 14 2016, Plaintiff Ronald Jackson ("Plaintiff") was appointed as the Lead Plaintiff in this Action;

WHEREAS, on December 12, 2016, Plaintiff filed a Corrected Amended Complaint asserting claims pursuant to the Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 and claims pursuant to Sections 11 and 15 of the Securities Act of 1933 ("Amended Complaint")(Doc. No. 50);

WHEREAS, the parties have complied with Rule A.2.b of the Individual Practices of Judge Laura Taylor Swain and conferred regarding the claims asserted in this Action;

WHEREAS, this Action has not been certified as a class action;

WHEREAS, in consideration of the covenants and agreements contained in this Stipulation, the undersigned parties hereby stipulate and agree as follows:

1. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the claims asserted in the Amended Complaint pursuant to Sections 11 and 15 of the Securities Act of 1933 shall be dismissed with prejudice by the undersigned Plaintiff as to all Defendants, with each side to bear its own attorneys' fees and costs incurred in connection with only those claims;

2. The parties will continue to adjudicate the claims asserted pursuant to Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 per the schedule provided for in the Stipulation and Order entered on December 12, 2016 (Doc. No. 49), and each party shall have an additional three business days beyond those deadlines provided therein, as set forth in a revised proposed scheduling order to be submitted to the Court through the Orders and Judgments Clerk;

3. The undersigned parties mutually agree not to seek or assert any claim against the other(s) for fees, expenses, costs, sanctions (including any claim under Fed. R. Civ. P. 11) and/or any other claim that claims in this Action pursuant to Sections 11 or 15 of the Securities Act of 1933 were brought or defended in bad faith or without a reasonable basis;

4. This Stipulation constitutes the entire and complete agreement between the undersigned parties, the terms and conditions contained herein are contractual and not a mere recital, and such terms and conditions shall not be amended, supplemented or abrogated other than by a written instrument signed by each affected party hereto, or by the authorized representative of each party; and

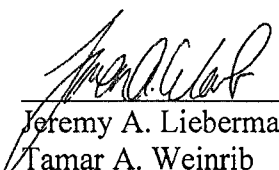
5. This Stipulation shall not be construed against the party preparing it, but shall be construed as if the parties jointly prepared this Stipulation, and any uncertainty or ambiguity shall

not on the ground of authorship be interpreted against any one party.

THEREFORE, it is hereby stipulated and agreed by all undersigned parties that the claims asserted in the Amended Complaint pursuant to Sections 11 and 15 of the Securities Act of 1933 be dismissed with prejudice as to all Defendants, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii).

DATED: February 13, 2017

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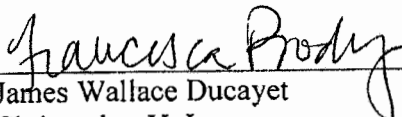
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SO ORDERED.

 2/13/17

THE HONORABLE LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE

JS